

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	)	Case No. 17-24817-JAD
Barry L. Kimes	)	Chapter 13
	)	
Debtor(s)	)	Doc # <u>90</u>
Ronda J. Winnecour, Chapter 13 Trustee	)	
Movant(s)	)	FILED
vs.	)	12/1/22 3:14 pm
Barry L. Kimes	)	CLERK
	)	U.S. BANKRUPTCY
Respondent(s)	)	COURT - WDPA

**ORDER**

AND NOW, this 1<sup>st</sup> day of December, **2022**, the Court having considered the Chapter 13 Trustee's certification (or request) for dismissal, and any responses thereto, the following relief (as reflected by the checked boxes below) is **ORDERED, ADJUDGED and DECREED**:

- ☐ This case is **DISMISSED**, with prejudice. The Debtor(s) is/are ineligible for bankruptcy relief under any chapter for a period of 180 days from the date of this Order.
- ☒ This case is **DISMISSED**, without prejudice.

If either of the above provisions is checked, indicating that this case is being dismissed, then it is **FURTHER ORDERED** as follows:

- A. Each wage attachment issued in this case is now terminated. So that each employer knows to stop the wage attachment, the Debtor(s) shall immediately serve a copy of this Order on each employer and file a proof of service within 10 days of the date of this Order.
- B. This case is administratively closed. However, the Court retains jurisdiction over the Trustee's Report of Receipts and Disbursements and Final Report and Account. Upon submission of UST Form 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account, the Trustee is discharged from her duties in this case and this case will be closed without further Order of Court.
- C. The Clerk shall give notice to all creditors of this dismissal.
- D. Any motion to reopen must be accompanied by the appropriate reopening fee, equal to the filing fee for the appropriate chapter (less administrative fee), together with the unpaid \$\_\_\_\_\_ portion of the original filing fee.

E. The Debtor remains legally liable for all debts as if the bankruptcy petition had not been filed. This bankruptcy case no longer prevents collection efforts or lawsuits. Creditor collection remedies are reinstated pursuant to 11 U.S.C. Section 349, and creditors are directed to 11 U.S.C. Section 108(c) for time limits on filing a lawsuit to collect. Generally, a creditor's lawsuit must be filed by the later of:


- (1) the time deadline provided by state law; or
- (2) 30 days after the date of this notice.

☐ This case is not dismissed. The plan term is extended to a total of \_\_\_\_ months; the monthly plan payment amount is changed to \$\_\_\_\_\_ effective.

☐ This case is not dismissed at this time. However, in the event of any future plan default by the Debtor(s), then on the Trustee's certificate of default, this case shall be dismissed \_\_\_\_ with / \_\_\_\_ without prejudice, without further notice or hearing.

☐ Other:

Dated: 12/1/2022

BY THE COURT:  
  
jsf  
United States Bankruptcy Judge  
Jeffery A. Deller

In re:  
Barry L. Kimes  
Debtor

Case No. 17-24817-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Dec 01, 2022

User: auto  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 29

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 03, 2022:

Recip ID	Recipient Name and Address
db	+ Barry L. Kimes, 206 Urban Drive, Verona, PA 15147-1553
14748711	Brian Ernstoff, MD PC, 5500 Ayesboro Avenue, Pittsburgh, PA 15217-1124
14748714	+ Equitable Resources Inc., t/d/b/a Equitable Gas Comapny, Attn: Judy Gawlowski, 225 North Shore Drive 2nd Floor, Pittsburgh, PA 15212-5861
14748716	+ Equitable Resources Inc., t/d/b/a Equitable Gas Comapny, 200 Allegheny Center Mall, Pittsburgh, PA 15212-5339
14748717	+ Equitable Resources Inc. c/o, Yukevich, Marchetti, Liekar & Zangrilli, Attn: Lori Nolan Lindey, 11 Stanwix Street, Suite 1024, Pittsburgh, PA 15222-1312
14737398	+ Greater Pittsburgh Federal Credit Union, 4415 Fifth Avenue, Pittsburgh, PA 15213-2664
14832941	+ Municipality of Penn Hills, c/o Portnoff Law Associates, Ltd., P.O. Box 3020, Norristown, PA 19404-3020
14748719	+ Novacare Rehabilitation, 400 Technology Drive, Canonsburg, PA 15317-9575
14737400	PNC Bank, c/o Mark Udren & Associates, Woodcrest Corporate Center, 111 Woodcrest Road, Suite 200, Cherry Hill, NJ 08003-3620
14748722	PNC Bank NA, c/o Mark Udren & Associates, Woodcrest Corporate Center, 111 Woodcrest Road, Suite 200, Cherry Hill, NJ 08003-3620
14747225	+ Penn Hills School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
14737399	Peoples Natural Gas Company, PO Box 644760, Pittsburgh, PA 15264-4760
14748724	+ UPMC Health Services, 2 Hot Metal Street, Room 386, Pittsburgh, PA 15203-2348

TOTAL: 13

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14748710	Email/Text: ally@ebn.phinsolutions.com	Dec 02 2022 00:18:00	Ally Financial, P O Box 130424, Roseville, MN 55113-0004
14746708	Email/Text: ally@ebn.phinsolutions.com	Dec 02 2022 00:18:00	Ally Financial Lease Trust, PO Box 130424, Roseville MN 55113-0004
14748712	Email/Text: documentfiling@lciinc.com	Dec 02 2022 00:18:00	Comcast, 676 Island Pond Road, Manchester, NH 03109-4840
14821258	+ Email/Text: kbarkley@bernsteinlaw.com	Dec 02 2022 00:18:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
14737397	+ Email/Text: kbarkley@bernsteinlaw.com	Dec 02 2022 00:18:00	Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, PA 15219-1942
14792890	Email/Text: Bankruptcy.Notices@pnc.com	Dec 02 2022 00:18:00	PNC BANK, NATIONAL ASSOCIATION, ATTN: BANKRUPTCY DEPARTMENT, 3232 NEWMARK DRIVE, MIAMISBURG OH 45342
14767076	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 02 2022 00:22:23	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14750163	Email/Text: RVSVCBICNOTICE1@state.pa.us	Dec 02 2022 00:18:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946
14764537	+ Email/Text: ebnpeoples@grblaw.com	Dec 02 2022 00:18:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828

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14748723	^	MEBN	Dec 02 2022 00:12:09	UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
14821015	^	MEBN	Dec 02 2022 00:12:14	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
14821016	^	MEBN	Dec 02 2022 00:12:13	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
14784642		Email/PDF: ebn_ais@aisinfo.com	Dec 02 2022 00:22:03	Verizon, by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838
14748725		Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Dec 02 2022 00:18:00	Verizon, 500 Technology Drive, Suite 550, Water Spring, MO 66304
14748726	+	Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Dec 02 2022 00:18:00	Verizon, PO Box 26055, Minneapolis, MN 55426-0055
14773190		Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Dec 02 2022 00:22:36	Wells Fargo Bank, N.A., d/b/a WFDS, P.O. Box 19657, Irvine, CA 92623-9657

TOTAL: 16

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Ally Financial Lease Trust
cr		Duquesne Light Company
cr		PNC Bank, NA
cr		PNC Bank, National Association
cr	*+	Municipality of Penn Hills, c/o Portnoff Law Associates, Ltd., P.O. Box 3020, Norristown, PA 19404-3020
cr	*+	Penn Hills School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14748713	*+	Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, PA 15219-1942
14748715	*+	Equitable Resources Inc., t/d/b/a Equitable Gas Comapny, Attn: Judy Gawlowski, 225 North Shore Drive 2nd Floor, Pittsburgh, PA 15212-5861
14748718	*+	Greater Pittsburgh Federal Credit Union, 4415 Fifth Avenue, Pittsburgh, PA 15213-2664
14748720	*+	Penn Hills School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
14748721	*	Peoples Natural Gas Company, PO Box 644760, Pittsburgh, PA 15264-4760

TOTAL: 4 Undeliverable, 8 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 03, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 1, 2022 at the address(es) listed below:

Name	Email Address
------	---------------

District/off: 0315-2

User: auto

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Brian Nicholas

on behalf of Creditor PNC Bank National Association bnicholas@kmlawgroup.com

James R. Wood

on behalf of Creditor Municipality of Penn Hills jwood@portnoffonline.com jwood@ecf.inforuptcy.com

Jennifer L. Cerce

on behalf of Creditor Penn Hills School District jlc@mbm-law.net

Jerome B. Blank

on behalf of Creditor PNC Bank National Association jblank@pincuslaw.com

Jillian Nolan Snider

on behalf of Creditor Ally Financial Lease Trust jsnider@fbtlaw.com agilbert@fbtlaw.com,agilbert@ecf.courtdrive.com

Kenneth Steidl

on behalf of Debtor Barry L. Kimes julie.steidl@steidl-steinberg.com  
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;rlager@st  
eidl-steinberg.com;leslie.nebel@steidl-steinberg.com;jseech@steidl-steinberg.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor PNC Bank NA pawb@fedphe.com

TOTAL: 11